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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,945	01/15/2002	Mikio Iwamura	218127US2	1514

22850 7590 06/20/2006

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EXAMINER
MATTIS, JASON E

ART UNIT	PAPER NUMBER
2616	

DATE MAILED: 06/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/044,945	IWAMURA ET AL.	
	Examiner	Art Unit	
	Jason E. Mattis	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *8/19/02, 4/25/02*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 3-5, 7-9, and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gandhi et al. (U.S. Pat. 6944449 B1) in view of Khaleghi et al. (U.S. Pat. 6975609 B1).

With respect to claims 1, 5, and 9, Gandhi et al. discloses a call acceptance control method operating in a base station device of a mobile communication system **(See column 1 lines 13-24, column 3 lines 23-29, and Figures 1-5 of Gandhi et al. for reference to a method for control access of subscriber stations 24, with the method operating in a base station 10 of a wireless communications system 11)**. Gandhi et al. also discloses performing multiple access with shared wireless resources **(See column 5 lines 37-58 of Gandhi et al. for reference to the system and method using CDMA, which is a multiple access wireless resource sharing protocol)**. Gandhi et al. further discloses measuring a resource use condition and restricting acceptance of new calls when the measured value of the resource use condition exceeds a set call acceptance threshold **(See column 3 line 30 to column 5 line 36 and Figure 2 of Gandhi et al. for reference to measuring a performance indicator,**

which is a resource use condition, and for reference to deny access of new calls to the system when the measured performance is greater than a blocking threshold, which is a call acceptance threshold). Gandhi et al. also discloses calculating a correction value and adjusting the call acceptance threshold using the correction value **(See column 6 line 60 to column 9 line 20 and Figures 4-5 of Gandhi et al. for reference to calculating a value that is used to adjust the blocking threshold by either raising or lowering the blocking threshold)**. Gandhi et al. does not disclose using packet calls. Gandhi et al. also does not disclose that the correction value is calculated in accordance with the number of packet users.

With respect to claims 4, 8, and 12, Gandhi et al. does not disclose that the call acceptance threshold is adjusted by raising the measured value of the resource use condition.

With respect to claims 1, 4-5, 8-9, and 12, Khaleghi et al., in the field of communications, discloses a system and method using packet calls as well as voice calls **(See column 2 line 61 to column 3 line 22 and Figure 1 of Khaleghi et al. for reference to a system and method using both data calls and voice calls)**. Khaleghi et al. also discloses calculating a correction value used to adjust, by raising a measured resource value, a call acceptance threshold with the correction value being calculated in accordance with the number of packet users **(See column 6 line 44 to column 8 line 40 and Figure 5 of Khaleghi et al. for reference to calculating a correction value in accordance with a number of data callers and using the correction value to raise a measured value that is compared to a call acceptance threshold)**. Using packet

calls as well as voice calls and calculating a correction value used to adjust, by raising a measured resource value, a call acceptance threshold with the correction value being calculated in accordance with the number of packet users has the advantage of allowing wireless resources to be more efficiently used while preventing dropped calls due to interference.

It would have been obvious for one of ordinary skill in the art at the time of the invention, when presented with the work of Khaleghi et al., to combine using packet calls as well as voice calls and calculating a correction value used to adjust, by raising a measured resource value, a call acceptance threshold with the correction value being calculated in accordance with the number of packet users, as suggested by Khaleghi et al., with the system and method of Gandhi et al., with the motivation being to allow wireless resources to be more efficiently used while preventing dropped calls due to interference.

With respect to claims 3, 7, and 11, Gandhi et al. discloses that the threshold is adjusted by lowering the threshold value in accordance with the calculated correction value **(See column 8 line 23 to column 9 line 20 and Figure 5 of Gandhi et al. for reference to lowering the blocking threshold in order to accept fewer calls)**.

3. Claims 2, 6, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gandhi et al. in view of Khaleghi et al. as applied to claims 1, 3-5, 7-9, and 11-12 above, and further in view of Peisa et al. (U.S. Pat. 6850540 B1).

With respect to claims 2, 6, and 10, the combination of Gandhi et al. and Khaleghi et al. does not disclose that the system includes guaranteed-bandwidth packet calls.

With respect to claims 2, 6, and 10, Peisa et al., in the field of communications, discloses a wireless system and method using guaranteed-bandwidth packet calls **(See column 2 lines 37-67 of Peisa et al. for reference to a wireless system using guaranteed bandwidth data calls)**. Using guaranteed-bandwidth packet calls has the advantage of allowing a guaranteed quality of service to be provided to packet users of a wireless system.

It would have been obvious for one of ordinary skill in the art at the time of the invention, when presented with the work of Peisa et al., to combine using guaranteed-bandwidth packet calls, as suggested by Peisa et al., with the system and method of Gandhi et al. and Khaleghi et al., with the motivation being to allow a guaranteed quality of service to be provided to packet users of a wireless system.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason E. Mattis whose telephone number is (571) 272-3154. The examiner can normally be reached on M-F 8AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jem

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